<u>REMARKS</u>

Claims 1 and 3-22 are pending in the application. In the Office Action, Claims 1 and 3-22 were rejected under 35 U.S.C. §103(a) as being obvious over Kosamo (U.S. PGPUB 2004/0250069) in view of Kim (U.S. PGPUB 2003/0078061), and further in view of IEEE Std 802.16-2001 and Applicants' Admitted Prior Art (APA).

Regarding the rejection of independent Claims 1, 6, 13, 17 and 20 under §103(a), the Examiner alleges that Kosamo, in view of Kim, and further in view of IEEE and APA renders the claims unpatentable. Kosamo discloses adapting security parameters of services provided for a user terminal in a communication network and correspondingly secured data communication; Kim discloses a method and apparatus for providing commercial broadcasting service in a cellular mobile communication network; and IEEE discloses air interface for fixed broadband wireless access systems.

In the Response to Arguments section of the Office Action, Applicants respectfully submit that the Examiner has relied on many erroneous conclusions in attempts to support the rejections, as addressed below.

Each of independent Claims 1, 6, 13, 17 and 20 relate to a method or apparatus wherein a subscriber station requests a service-specific traffic encryption key from a base station. The subscriber station determines a service type for a traffic encryption key. The subscriber station generates a Key Request message requesting a traffic encryption key corresponding to the service type. The Key Request message includes a parameter that identifies the service type. The Key Request message is sent to or received by the base station.

That is, in the claims of the present application, the subscriber station determines the services for which a traffic encryption key is to be requested, and then requests from the base

station the traffic encryption key corresponding to the service type. The Examiner relies on Kosamo for allegedly teaching these features.

Kosamo teaches that its network informs a user terminal of security parameters available for the services provided for the user terminal, and then its user terminal selects a security parameter per service. Thus, in Kosamo, the user terminal does not request from its network a traffic encryption key corresponding to service types determined by the user terminal.

The Examiner indicates that in the claims of the present application a subscriber station requests an encryption key that is associated with the service(s) the subscriber station requests. However, the remaining statements made by the Examiner are believed to be in error.

First, the Examiner alleges that Kosamo teaches determining a service type prior to establishing the traffic connection, by alleging that Kosamo teaches in paragraphs [0009] and [0014] requesting a call to be established for said user terminal; such call establishment is a secured communication, but this is not what Kosamo teaches. In paragraph [0014], Kosamo teaches, "requesting a call to be established for said user terminal"; no selection of service types is performed, only a request for a call is made. A request for a call is not and cannot be equated with determining a service type for a traffic encryption key.

The Examiner goes on to state that as in most mobile originated call situations, the traffic type would have to be determined, for example, making a voice call or a data call, before the connection is established (the connection may go different route depending upon the traffic type). Although this may or may not be true, Kosamo does not support any of these conclusions.

The Examiner further states that the encryption key would also be generated and sent to the mobile station (subscriber station), and such an encryption key corresponds to the service being requested, and goes on to state that paragraph [0034] of Kosamo can be read as said

network informs said user terminal UE of security parameters available for the services provided for said user terminal. Again, although this may or may not be true, Kosamo does not support any of these conclusions.

Still further, the Examiner states that in paragraph [0036], Kosamo teaches that the mobile station chooses the security parameter provided by the network, and that such a selection is for a different level of security (e.g. low or high) with the same service requested and to be provided. Contrary to the Examiner's belief, in paragraph [0036], Kosamo teaches that a user selects a security parameter on a per service basis. The user in Kosamo does not determine a service type for the requested traffic encryption key to be used for security on a traffic connection to the base station prior to establishing the traffic connection.

The combination of Kim, IEEE and APA does not cure the deficiencies of Kosamo. Accordingly, the rejection of Claims 1, 6, 13, 17 and 20 must be withdrawn. Without conceding patentability per se, Claims 3-5, 7-12, 14-16, 18, 19 and 21-22 are allowable in view of their respective dependence therefrom.

Independent Claims 1, 6, 13, 17 and 20 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 3-5, 7-12, 14-16, 18, 19, 21 and 22, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 3-5, 7-12, 14-16, 18, 19, 21 and 22 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1 and 3-22, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,

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